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France Jails a Top Secret Agent; His Ben Barka Reports Under Fire

By Waverly Root
Washington Post Foreign Service

PARIS, Feb. 11—Marcel Le Roy, alias Finville, one of France's top secret agents, was indicted and imprisoned last night—and angry warnings of retaliation were immediately uttered by his colleagues, indignant at this violation of the immunity they are accustomed to enjoy no matter what they do.

Finville was a member of the Service of External Documentation and Counter-Espionage (SEDCE), the French CIA. It is believed that he had prior knowledge of the plan to kidnap Moroccan opposition leader Mehdi Ben Barka in Paris, and that he not only refrained from intervening but even failed to

inform his superiors and those investigating the affair.

Ben Barka is believed to have been murdered after his kidnaping Oct. 29, but reports persist that he has been spirited out of France and is still alive, possibly in Morocco.

Promises to Talk

Finville was indicted last night on the minimum charge—non-denunciation of a crime.

This is only a misdemeanor, but it permits him to be held pending further hearings.

There is speculation that Finville has been jailed for his own protection—the implication being that other SEDCE agents might wish to prevent him from compromising them.

Finville told a reporter yesterday that if indicted he would consider himself no longer bound by official secrecy. He said his revelations "would implicate about 10 persons."

Later, a man who identified himself as Daniel Pouget and who described himself as Finville's aide, called a news conference to defend Finville. He told reporters that Finville had in fact kept his superiors informed from the beginning about the Ben Barka case.

Admits Date Changed

Finville himself has admitted that at least one of his reports had been postdated to cover up the fact that he had not reported earlier. But it is noted that he may have thus incriminated himself to protect higher-ups, possibly in

exchange for a promise that he would not be prosecuted.

If this is so, and Finville now talks, the Ben Barka case should reverberate on the highest level, since Finville, who has a rank equivalent to general, is himself near the top of the secret-service hierarchy.

The government appears unafraid of what Finville may disclose, however, since it was the Ministry of Justice that requested his arrest and imprisonment.